

J

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DANIEL KAMEN,)	
)	
Plaintiff,)	
)	
v.)	No. 06 C 5928
)	
DIANNE BARNHART,)	
)	
Defendant.)	

MEMORANDUM ORDER


In purported response to this Court's November 6 minute order ("Order") that directed the attention of pro se plaintiff Daniel Kamen ("Kamen") to his need to establish diversity of citizenship as the basis for federal jurisdiction, Kamen has submitted the attached November 8 statement. Even though the Order expressly required that Kamen "allege the parties' states of citizenship, not just their residences (which may be different)," Kamen's new filing continues to speak only of the parties' residences in Illinois and Ohio.

Our Court of Appeals' teaching in such circumstances is plain--as Held v. Held, 137 F.3d 998, 1000 (7th Cir. 1998), quoting Guaranty Nat'l Title Co. v. J.E.G. Assocs., 101 F.3d 57, 59 (7th Cir. 1996) commands:

Of course, allegations of residence are insufficient to establish diversity jurisdiction. It is well-settled that "[w]hen the parties allege residence but not citizenship, the court must dismiss the suit."

Accordingly the Complaint and this action are indeed dismissed for lack of a proper showing as to the existence of subject

matter jurisdiction.



Milton I. Shadur
Senior United States District Judge

Date: November 16, 2006

November 8th, 2006

From:
Daniel Kamen
1121 Highland Grove Drive
Buffalo Grove, IL 60089

To:
United States District Court
For The Northern District of Illinois

RE: Amendment by Plaintiff (Kamen) to Case No.: 1:06-cv-05928
Honorable Milton I. Shadur

Daniel Kamen
Plaintiff,

v.

Dianne Barnhart
Defendant.

The following information is to be in compliance with District Court's LR 5.2(b). The citizenship of both parties are stated below.

This is to state for the record that I, Daniel Kamen, Plaintiff, am a citizen of the United States of America residing in Buffalo Grove, Illinois.

This is to state that Dianne Barnhart, Defendant, is a citizen of the United States of America residing in Johnstown, Ohio.

Please note a copy of Dianne Barnhart's Ohio Veterinary license number. The Ohio veterinary board requires their applicants to state their country of citizenship.

Sincerely,

Daniel Kamen

A handwritten signature in black ink, appearing to read 'Daniel Kamen', is written over the printed name.